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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LINDA M. KNIGHT,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of
Social Security,

Defendant.

CASE NO. 2:04-CV-01777-GEB-PAN

**STIPULATION AND ~~proposed~~
ORDER OF REMAND PURSUANT
TO SENTENCE SIX OF 42 U.S.C. §
405(g)**

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court as provided below, that this case shall be remanded for further administrative proceedings pursuant to the sixth sentence of 42 U.S.C. § 405(g). The Commissioner is unable to locate the the cassette tape from the oral hearing held on October 10, 2003. If the tape cannot be located within a reasonable time from date of receipt of the Court Order of remand, the Appeals Council will remand the case to an Administrative Law Judge to hold another hearing and issue a new decision.

DATED: June 22, 2005

/s/ H. Jackson Zinn
H. JACKSON ZINN
Attorney at Law

Attorney for Plaintiff

DATED: June 23, 2005

McGREGOR W. SCOTT
United States Attorney

By: /s/ Bobbie J. Montoya
BOBBIE J. MONTOYA
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1 OF COUNSEL:

2 LUCILLE GONZALES MEIS
3 Chief Counsel, Region IX

4 GERALYN A. GULSETH
5 Assistant Regional Counsel

6 Office of the General Counsel
7 U. S. Social Security Administration
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ORDER

For good cause shown, KNIGHT v. BARNHART (CASE NO. 2:04-CV-01777-GEB-PAN), is hereby REMANDED under sentence six of 42 U.S.C. § 405(g), pursuant to the stipulation of the parties.

SO ORDERED.

Dated: June 27, 2005.

/s/ Peter A. Nowinski
PETER A. NOWINSKI
Magistrate Judge